

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)**

**REGARDING ADOPTION OF THE 2011 NATIONAL ELECTRIC CODE (NEC),
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3,
CALIFORNIA ELECTRICAL CODE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

This proposed action by the CBSC adopts the most current edition of the NEC of the National Fire Protection Association, (NFPA) 70 with existing amendments (not shown) and new amendments shown below. These proposed regulations will make effective the latest edition of the National Electrical Code (NEC) for state owned buildings, including buildings constructed by the Trustees of the California State University and buildings constructed by the Regents of the University of California that are permitted under the next triennial edition of the California Electrical Code (CEC).

Section 89.101.3.2 State-Regulated Buildings, Structures, and Applications, Section 89.101.11

Format, introductory statement.

Purpose:

To delete references in the regulatory language of the codes to the Matrix Adoption Tables located at the beginning of each chapter and replace where needed with non-regulatory notes.

Specific Purpose:

In the past, some code users have interpreted content of the Matrix Adoption Tables as a regulatory part of the codes, and some agencies have used tables as explanatory tools accompanying code change proposals. The agency tables and the published ones are intended to be illustrative only and are superseded by any language in agency proposals and published codes. In addition, both agency and published versions often contain erroneous entries, such as "Xs" in wrong boxes or sections numbered incorrectly.

Rationale:

To clarify the non-regulatory nature of the Matrix Adoption Tables and lead code users to understand them as roadmaps only for the codes, references in code language to the tables should be deleted. References imply incorporation into the code, which is not the intent of the otherwise useful tables.

Benefit:

Deleting these references from the codes will clarify the effective use of the codes for users and should mitigate any future challenges by those code users who find errors in the tables.

Section 89.102.1.1

Remove duplicate language per CAC meeting July 24, 2012.

CHAPTER 1 GENERAL

Article 100 Definitions and 110 Requirements for Electrical Installations -

Specific Purpose:

The CBSC proposes to add a definition for Ballasted PV systems to the definitions of Article 100 and to adoption a new exception to Section 110.13 of Article 110 to coordinate with the Housing and Community Developments proposed changes to Part 3 of Title 24.

At the Plumbing Mechanical Electrical and Energy code advisory committee held on **July 24, 2012** the committee recommended the modification of the definition for ballasted PV systems by adding the term "solar photovoltaic" before the word panels to clarify the meaning of the definition. The CBSC concurred with the committee recommendation and modified the definition to include the additional language.

Rationale:

Ballasted PV systems are rooftop systems which rely on weight and friction to resist wind and seismic forces without having a positive attachment to the roof. These systems have emerged as an attractive technology especially for large flat rooftops as they reduce costs and limit unnecessary roof penetrations. Currently the electrical code requires all electrical equipment to be attached firmly to the surface on which it is mounted. Ballasted PV systems can move in a seismic event and would cause damage to the electrical equipment if the equipment was not allowed to move with the PV system. This proposed amendment would allow the electrical equipment to be installed to allow for the maximum movement which may the PV system may be exposed to.

CHAPTER 5 – SPECIAL OCCUPANCIES

Sections 517 & 550

Specific Purpose:

The CBSC proposes to remove the specific California adoption of article 517 & 550. The articles are not under the authority of the CBSC.

Rationale:

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. Article 517 is not adopted by the CBSC because it is under the authority of the Office of Statewide Health Planning and Development (OSHPD) and article 550 is not adopted because it is under the authority of Housing and Community Development (HCD).

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

There were no formal studies or reports used as the bases for the proposed adoption of the National Electrical Code. The Health & Safety Code, Section 18928, mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

There are no mandates for specific technologies or equipment or prescriptive standards that are required.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no reasonable alternatives identified by the agency. The Health & Safety Code, Section 18928, mandates this proposed action.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

No alternatives were identified to lessen the adverse impact on small businesses. The Health & Safety Code, Section 18928, mandates this proposed action.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

No facts, evidence, documents, testimony, or other evidence of any significant adverse economic impact on business have been identified. The Health & Safety Code, Section 18928, mandates this proposed action.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

There are no federal regulations related to this proposed action. The Health & Safety Code, Section 18928, mandates this proposed action.